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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/674,615
	Filing Date	September 30, 2003
	First Named Inventor	Terry L. Schneider
	Art Unit	1774
	Examiner Name	Merrick L. Dixon
Total Number of Pages in This Submission	Attorney Docket Number	7784-000553CPA

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition * See Remarks below <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Supplemental Declaration of Mark D. Elchuk, Return Receipt Postcard</b>		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. <b>*Request for Reconsideration of Denial of Petition to Revive Application</b></td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. <b>*Request for Reconsideration of Denial of Petition to Revive Application</b>
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. <b>*Request for Reconsideration of Denial of Petition to Revive Application</b>			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Mark D. Elchuk	Reg. No.	33,686
Signature					
Date	March 21, 2007				

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Mark D. Elchuk	Express Mail Label No.	EV 755416347 (3/21/2007)
Signature		Date	March 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/674,615  
Filing Date: September 30, 2003  
Applicant: Terry L. Schneider  
Group Art Unit: 1774  
Examiner: Merrick L. Dixon  
Title: Polymer Composite Structure Reinforced with Shape  
Memory Alloy and Method of Manufacturing Same  
Attorney Docket: 7784-000553CPA

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Director of The United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REQUEST FOR RECONSIDERATION OF DENIAL  
OF PETITION TO REVIVE APPLICATION**

Sir:

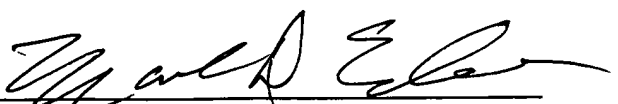
Pursuant to the "Decision Dismissing Petition" mailed February 20, 2007, the undersigned requests further reconsideration of the dismissal of the petition filed on August 10, 2006, and supplemented with additional supporting declarations via a paper filed on December 11, 2006.

In support of the present Request for Reconsideration, a supporting declaration of the undersigned is being submitted swearing to the fact that an examination of the file jacket has been made and that the Office Action in question was not present.

If there are any questions concerning this matter it is requested that the undersigned be contacted at (248) 641-1229 to discuss same.

Respectfully submitted,

Date: March 21, 2007

  
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Mark D. Elchuk  
Reg. No. 33686

MDE/drl



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Director of The United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**SUPPLEMENTAL DECLARATION OF MARK D. ELCHUK**

Sir:

I, Mark D. Elchuk, declare under penalty of perjury, as follows:

That I am an attorney with the law firm of Harness, Dickey and Pierce, PLC (hereinafter "HDP");


That I am the attorney responsible for prosecuting U.S. patent application serial number 10/674,615 (hereinafter the "615 application");

That on or about August 8, 2006, prior to filing a petition for revival of an unavoidably abandoned application (which was filed on August 10, 2006), I made an inspection of the file jacket for the '615 application and the Office Action in question was not in the file jacket (the Office Action in question being the Office Action that was mailed by the Office on November 30, 2004);

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 the United States Code, and that such willful false statement may jeopardize the validity of

the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Date: March 21, 2007

  
Mark D. Elchuk  
Reg. No. 33686

MDE/drl